

UNITED STATES DISTRICT COURT

for the

Southern District of Georgia

United States of America

v.

Archie Foxworth

Date of Previous Judgment: March 2, 2005

(Use Date of Last Amended Judgment if Applicable)

)

)

) Case No: CR604-00010-007

) USM No: 11993-021

) William E. Callaway, Jr.

) Defendant's Attorney

2008 MAY 29 AM 10:17

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months is reduced to _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 23

Amended Offense Level: 21

Criminal History Category: I

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Previous Guideline Range: 46 to 57 months

Amended Guideline Range: 37 to 46 months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☐ Other (explain):

III. ADDITIONAL COMMENTS

The Court has denied the motion for reduction of sentence based on factors identified in 18 U.S.C. § 3553(a), namely the need to protect the public from further crimes of the defendant and the history and characteristics of the defendant. The defendant's disciplinary record since being incarcerated is disturbing. It is obvious he has no respect for the rules and laws of our society.

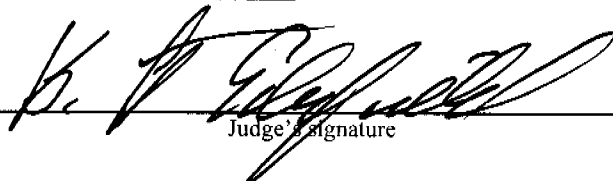
Except as provided above, all provisions of the judgment dated March 2, 2005, shall remain in effect.

IT IS SO ORDERED.

Order Date: May 29, 2008

Effective Date: _____

(if different from order date)


Judge's signature

B. Avant Edenfield
United States District Judge
For the Southern District of Georgia
Printed name and title